

HOUSE No. 3423**The Commonwealth of Massachusetts**

PRESENTED BY:

Alice K. Wolf*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to bring child support home.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Alice K. Wolf	25th Middlesex
Steven J. D'Amico	4th Bristol
Tom Sannicandro	7th Middlesex
Elizabeth A. Malia	11th Suffolk
William N. Brownsberger	24th Middlesex
Martin J. Walsh	13th Suffolk
Denise Provost	27th Middlesex
Cheryl A. Coakley-Rivera	10th Hampden
Carl M. Sciortino, Jr.	34th Middlesex
James B. Eldridge	Middlesex and Worcester
Sean Garballey	23rd Middlesex
James J. O'Day	14th Worcester District
Barbara A. L'Italien	18th Essex
John W. Scibak	2nd Hampshire
Ruth B. Balser	12th Middlesex
Antonio F.D. Cabral	13th Bristol
Kay Khan	11th Middlesex
Peter v. Kocot	1st Hampshire
Matthew C. Patrick	3rd Barnstable

Frank I. Smizik	15th Norfolk
Joyce A. Spiliotis	12th Essex
Ellen Story	3rd Hampshire
Timothy J. Toomey, Jr.	26th Middlesex
Katherine Clark	32nd Middlesex
Mary E. Grant	6th Essex
Sarah K. Peake	4th Barnstable
Anne M. Gobi	5th Worcester
Martha M. Walz	8th Suffolk
Ann-Margaret Ferrante	5th Essex
Steven M. Walsh	11th Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO BRING CHILD SUPPORT HOME.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 21 of Chapter 18 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by inserting after the first sentence the following:-- In enforcing its
3 subrogation rights, the department shall not require any recipient to assign support arrears which accrued
4 before the family began receiving assistance.

5 SECTION 2. Section 2 of chapter 118 of the General Laws, as so appearing, is hereby amended by
6 inserting at the end of the first paragraph the following:-- Child support collections shall be paid to a
7 recipient of benefits under this chapter to the extent that the federal government will waive or not have a
8 claim to a federal share of such collections pursuant to 42 U.S.C. section 657. Any amounts paid to the
9 family under this provision shall be disregarded in determining the amount of assistance provided to the
10 family.

11 SECTION 3. Subsection (b) of section 2 of chapter 119A of the General Laws, as so appearing, is hereby
12 amended by inserting at the end the following:-- Pursuant to Title IV, Part D of the Social Security Act, in
13 the case of former recipients of assistance, the IV-D agency shall pay to the family all support payments
14 collected, including payments on arrears assigned to the state and payments collected through federal tax
15 refund offset.

16 SECTION 4. The Commonwealth shall discontinue any assignments, made between October 1, 1997 and
17 the effective date of this section, of rights to support obligations accruing before the date on which a
18 recipient began to receive public assistance. The IV-D agency shall treat support amounts collected
19 pursuant to such discontinued assignments as if the amounts had never been assigned and shall distribute
20 the amounts to the recipient.

21 SECTION 5. Notwithstanding any general or special law to the contrary, the IV-D agency may collect
22 child support paid on behalf of current or former recipients of transitional aid to families with dependent

23 children benefits funded solely with state funds, and if such collections are made, the Commonwealth
24 shall apply the same policies with regard to payment and disregard of such collections as are applied to
25 current or former recipients of benefits funded in whole or in part with federal funds.

26 SECTION 6. The department of revenue shall submit a report on or before July 1, 2009 to the chairs of
27 the house and senate committees on ways and means and the chairs of the joint committee on revenue
28 setting forth in detail the steps the department has taken and plans to take to implement sections 1 through
29 5 effective October 1, 2009; provided further, that said report shall include a timetable for accomplishing
30 each of the steps the department determines is necessary to implement sections 1 through 5 effective
31 October 1, 2009.

32 SECTION 7. Sections 1 through 5 shall take effect on October 1, 2009.